GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Disciplinary proceedings against Sri K.Subramanyam, formerly Examiner, District Court, Chittoor, now retired from service and another, for gross negligence, misconduct and dereliction of duties – Charges held proved – Imposing penalty of withholding of 5% (Five Percent) of pension for a period of two years under Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980 - Orders – Issued.

HOME (COURTS-B) DEPARTMENT

G.O.MS.No. 82 Dated:16-06-2015

Read the following:

1) From the Registrar(Vigilance),High Court of Andhra Pradesh, Hyderabad, D.O.Lr.No.135/2014-Vigilance Cell, Dated:28.01.2014.
2) Govt.Memo.No.391(P)/Cts.B2/2012,Dated: 16.12.2014.
3) Written Explanation dt.30.01.2015 submitted by Sri K. Subramanyam, formerly Examiner, Dist.Court, Chittoor.
4) Govt.Lr.No.391(P)/Cts.B2/2012,Dated: 22.04.2015.
5) From the Secretary, Andhra Pradesh Public Service Commission, Letter No.414/RT/1/2015, dated 19-05-2015.

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ORDER :

Whereas, the Register (Vigilance), High Court of Andhra Pradesh, Hyderabad, in the letter 1st read above, has stated that regular departmental enquiry was conducted under the provisions of Andhra Pradesh Civil Services Rules, 1991 against the Charged Officers, Sri K. Subramanyam, formerly Examiner, District Court Chittoor, now retired from service and Smt. M.R.Revathi, formerly Junior Assistant, Special Mobile Court, Chittoor and presently working as Assistant in Junior Civil Judge's Court, Palamaner, for the following Articles of charge:-

Article No. (1) : That Sri K.Subramanyam, Exmanier (Retired on 31.01.2013) while working on deputation in Spl. Mobile Court, Chittoor indexed CC No.252 of 2010 on the file of Spl. Mobile Court, Chittoor though the depositions of P.Ws 1 and 2 are not in the record and handed over the records to the Record Room without the depositions of P.Ws 1 and 2, and acted negligently which if proved amounts to gross negligence and dereliction in discharge of official duties within the meaning of Rules 3 of APCS (Conduct) Rules, 1991.

Article No. (2): That Smt. M.R.Revathi, formerly Junior Assistant, Spl Mobile Court, Chittoor and presently working as Junior Assistant in Junior Civil Judge's Court, Palamaner while working as Record Clerk in Spl Mobile Court, Chittoor received appeal intimation dt: 16.09.2011 in CC No. 252 of 2010 corresponding to Crl.Appeal No.216/2011 on the file of District and Sessions Court Chittoor has submitted the records to District and Sessions Court, Chittoor without proper verification though depositions of P.Ws 1 and 2 are not in the record even as per index, and acted negligently, which proved amounts to gross negligence and dereliction in discharge of official duties within the meaning of Rules 3 of APCS (Conduct) Rules, 1991.

2. And whereas, the Register (Vigilance), High Court of Andhra Pradesh, Hyderabad, has further stated that the Inquiry Officer after conducting the enquiry submitted his report holding that both the charged employees are guilty of the charges leveled against them. As such, minor penalty of 'censure' was imposed against Smt. M.R.Revathi, Junior Assistant, presently working in the Court of Special Judicial Magistrate of First Class (Proh. & Excise), Chittoor, as per rules in force.

3. And whereas, the Registrar (Vigilance), while forwarding the entire material, has requested the Government to pass final orders against Sri K. Subramanyam, formerly Examiner, District Court, Chittoor, (Worked on deputation in Spl. Mobile Court, (Chittoor) since he retired from service on 31.01.2013 on superannuation and the Government is competent to pass final orders in respect of retired employees under Rule 9 (2) (a) of A.P. Revised Pension Rules, 1980.

(P.T.O.)

4. And whereas, Government have examined the matter and provisionally decided to impose the penalty of 5% (five percent) cut in pension for a period of two years on the charged officer Sri K.Subramanyam, formerly Examiner (Retired), District Court, Chittoor under rule 9(2)(a) of the Andhra Pradesh Revised Pension Rules, 1980, for the charge held proved against him.

5. And whereas, in the Government Memo 2nd read above, the charged officer was directed to Show Cause as to why the punishment mentioned in para (4) above shall not be imposed on him for the charge held proved against him.

6. And whereas, the charged officer has submitted his explanation, vide letter 3rd read above, reiterating the contents in his earlier explanation with a request to the Government to pardon him without imposing any punishment on humanitarian grounds and to pass such other order as deemed fit.

7. And whereas, Government after considering the explanation of the charged officer with reference to the records made available, have decided to confirm the provisional decision of imposing the penalty and accordingly the Secretary, Andhra Pradesh Public Service Commission was requested to place the matter before the Commission for its concurrence on the decision of the Government, vide letter 4th read above.

8. And whereas, in the letter 5th read above, the Secretary ,APPSC, has stated that the Commission agreed with the proposal of Government to impose the said penalty on the charged officer.

9. Now, therefore, Government after careful examination of the entire matter, hereby impose punishment of withholding of 5% (Five Percent) of pension for a period of two years on the charged officer Sri K.Subramanyam, formerly Examiner (now Retired), District Court, Chittoor under Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980 for the charge held proved against him.

10. A copy of the letter 5th read above received from the Secretary, Andhra Pradesh Public Service Commission, is furnished herewith to Sri K.Subramanyam, formerly Examiner (now Retired), as required under Rule-23 of the Andhra Pradesh Civil Services (C.C.& A.) Rules, 1991.

11. The Registrar (Vigilance), High Court of Andhra Pradesh, Hyderabad, is requested to take necessary further action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T. NARAYANA REDDY
SECRETARY TO GOVERNMENT (FAC)

To
The Registrar (Vigilance), High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh.
The individual through the Registrar (Vigilance), High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh.
The District Judge, Chittoor District.
Copy to:
The Secretary, Andhra Pradesh Public Service Commission, Hyderabad
The Accountant General, Andhra Pradesh, Hyderabad.
The Pay and Accounts Office, Andhra Pradesh, Hyderabad.
The District Treasury Office, Chittoor District.
The Law (C)Department
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER